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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARISELA MARTINEZ; JOSE CHAVEZ, JR.;
MARTIN ESPINOZA, JR.; and JUAN MEJIA,

Plaintiffs,

vs.

CITY OF LIVERMORE, a governmental entity;
STEVE KRULL, in his capacity as Chief of Police
for CITY OF LIVERMORE; Livermore police officers
CINDY MOORE; ANTHONY GRAJEDA; ROBERT
LANAM; ERNEST GUMBAN; MICHAEL
KRYWOKULSKY; JOSHUA RATCLIFFE; DANIEL
CLEGHORN; and DOES 1-25, inclusive, individually,
and in their capacity as police officers for
CITY OF LIVERMORE,

Defendants. _____/

No. C-06-07030-SBA

**STIPULATION AND ORDER
EXTENDING TIME FOR COMPLETION
OF MEDIATION**

STIPULATION

All parties to this action stipulate and agree, by and through their respective counsel, as follows:

1. Counsel for plaintiffs and defendants have discussed with the Mediator, Ms. Jo Hoenninger, their need for further time to conduct discovery, and Ms. Hoenninger agrees with the extension of time deadline proposed in the Stipulation. This extension of time for Mediation is needed so that all parties can engage in a productive Mediation hearing.

2. Prior to a meaningful Mediation, the parties need to conduct the following discovery:

Plaintiffs' service of Responses to thirty-three sets (33) of Special Interrogatories; thirty-six (36) sets of Requests for Production of Documents; and, thirty-six (36) sets of Requests for Admissions (which Responses are not due until 6-29-07, and plaintiffs may well require an extension to serve Responses to this huge amount of written discovery from defendants); take the depositions of the parties; locate and take the depositions of witnesses; and receive important medical records and billings and wage loss information for plaintiffs (which has been requested, but not yet received); and, defense counsel have just recently served Defendant's Responses to Plaintiffs' Special Interrogatories and Request for Production of Documents, however defense counsel has not yet prepared or served a Stipulated Protective Order, which would include in camera review by the Court of responsive confidential/privileged documents and a subsequent Court Order that defendants produce some or all of said documents to plaintiffs' counsel. Then, plaintiffs' counsel will need to review this material and decide whether any further discovery is necessitated by information contained in those documents;

3. Mr. Burris is lead counsel and will attend the Mediation Conference. He and Ms. Libet have been swamped with work in a case with a lot of witnesses and discovery for the last five weeks, and during this month and July, will also have to conduct a great deal of discovery in several cases, including this case;

4. Mr. Burris will be on vacation from June 24th through July 7th 2007, and during the first week of August 2007; and,

5. Accordingly, the parties, by and through their respective counsel, hereby stipulate and jointly request that the deadline for the occurrence of the Mediation hearing in this case be extended from July 30, 2007 to September 30, 2007, or as soon thereafter as the Court deems appropriate.

LAW OFFICES OF GAYLA B. LIBET

Dated: 6/12/07

By: /s/ Gayla B. Libet
GAYLA B. LIBET, Esq.
Attorneys for Plaintiffs

LAW OFFICES OF JOHN L. BURRIS

Dated: 6/12/07

By: /s/ John L. Burris
JOHN L. BURRIS, Esq.
Attorneys for Plaintiffs

McNAMARA, DODGE, NEY, BEATTY, SLATTERY,
PFALZER, BORGES & BROTHERS LLP


Dated: 6/12/07 By: /s/ James V. Fitzgerald, III

JAMES V. FITZGERALD, III, Esq.
NOAH BLECHMAN, Esq.
Attorneys for Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 7/16/07


HONORABLE SAUNDRA BROWN ARMSTRONG
United States District Court Judge